

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Revocation	)	
	)	CONSENT ORDER
or Suspension of the Educators	)	
	)	OF SUSPENSION
Certificate of Ervin L. Manigo	)	
	)	
Certificate # 141832	)	

The South Carolina State Board of Education (State Board) considered this matter on April 8, 2003. On June 4, 2002, the State Department of Education (Department) sent a notice of the possible suspension or revocation of his South Carolina Educators Certificate (certificate) to Ervin L. Manigo by certified mail, return receipt requested delivery restricted to addressee. Mr. Manigo received the notice as evidenced by a signed postal receipt. Mr. Manigo initially requested a hearing, but through his attorney, Dona L. Guffey, Esquire, subsequently agreed with the Department to propose the following resolution of this matter to the State Board: (1) his license will be suspended from the time of his suspension from employment on April 10, 2002, Accepted through May 23, 2003, (2) prior to the beginning of the 2003-2004 school year, Mr. Manigo must successfully complete a course or program in anger management that is satisfactory to the Department, and (3) the suspension will be reported to the NASDTEC Clearinghouse and all school districts in South Carolina as a suspension on the grounds of unprofessional conduct. After considering the evidence presented by the Department, the State Board voted to accept the resolution proposed by the parties.

Accepted

Initial Here

Ervin L.  
Manigo  
#141832

**FINDINGS OF FACT**

Mr. Manigo holds a valid South Carolina certificate, and has over sixteen years of teaching experience. During the 2001-2002 school year, he was under contract with Greenwood School District Fifty as a band teacher at Greenwood High School. Mr. Manigo was suspended on April 10, 2002, and resigned from the District effective May 31, 2002, following an investigation into allegations that he inappropriately disciplined a student in his class. The District obtained conflicting

statements from the teacher and the student about the alleged physical confrontation. Interviews of other District students and staff indicated that Mr. Manigo received a number of verbal and written reprimands regarding other instances of unprofessional behavior towards students and parents. Mr. ~ Manigo's contract was not renewed by a previous school district following an investigation into allegations of a similar nature in that district. Mr. Manigo has been successfully employed as a band teacher in another school district since the beginning of the 2002-2003 school year without further incidents of the type that led to these proceedings.

### **CONCLUSIONS OF LAW**

"The South Carolina State Board of Education may, for just cause, either revoke or suspend the certificate of any person." S.C. Code Ann. § 59-25-150 (1990). Just cause includes: "Unprofessional conduct", S.C. Code Ann. § 59-25-160 (1990); 24 S.C. Code Ann. Regulation 43-58 (1992). The State Board finds that the preponderance of the evidence presented by the Department, supports its decision to accept the proposal of the parties to suspend Mr. Manigo's teaching certificate from April 10, 2002, through May 23, 2003, on the terms and conditions outlined above. At the end of the suspension period if he wants his certificate reinstated, Mr. Manigo may make a written request for reinstatement to the Office of Teacher Education and Certification of the Department.

South Carolina State Board of Education

By: /S/ Greg Killian  
Greg Killian, Chair

Columbia, South Carolina  
April 8, 2003

I, Ervin L. Manigo, SC Teaching Certificate # 141832, do hereby agree to the proposed Order of Suspension, consisting of two pages, and understand that this Order will be presented as signed to the State Board of Education on Tuesday, April 8, 2003.

/S/ Ervin L. Manigo  
Ervin L. Manigo

3/31/03  
Date